srp.

HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLI. (F) NO. 5407 OF 2006.
IN
FIRST APPEAL NO. 938 OF 2007.

Kisan Veer Satara Co-op. Sugar Factory Ltd. ..Applicant/Appellant.
Versus.
The State of Maharashtra & Ors. ..Respondents.

Mr. R. G. Ketkar i/b Ajit J. Kanjale for the applicant- appellant.
Mr. S. N. Gawade, A.G.P. for the Respondent- State.

CORAM: S. B. MHASE &
R.S.MOHITE, JJ.

DATE: MARCH 14, 2007.

P.C.

1. Mr. R.G.Ketkar, learned counsel appearing on behalf of the applicant submits that there is no evidence to show that the water has been released in the river so that it can be charged by the Government and, however, he submits that there was accident and therefore the spent wash was released in the river. Naturally, therefore to protect the environment, the Government was under obligation to release the water and recover the charges from the factory. This is a money decree. We are not inclined to grant stay in the matter. Civil application is therefore rejected.

(R.S.MOHITE, J.) **(S.B.MHASE, J.)**